

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: REQUEST FOR JURY TRIAL: 12-14-71

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
<p>THERMO-CHEM CORPORATION, A Delaware Corporation,</p> <p>Plaintiff,</p> <p>vs.</p> <p>WASTE-TREAT, INC., An Oklahoma Corporation, and MAPCO, INC., A Delaware Corporation,</p> <p>Defendants.</p>		<p>For plaintiff:</p> <p>Floyd L. Walker & Associates, Inc. 405 Mayo Building Tulsa, Oklahoma 74103 584-4136</p> <p>For defendant:</p> <p>Frederic Dorwart (for Mapco, Inc.) 2700 Fourth National Bank Bldg. Tulsa, Okla. 74119</p> <p>Covington, Gibbon & Poe (Waste-Treat) Richard D. Gibbon Pythian Building Tulsa, Oklahoma</p>			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 1-1-72	Clerk	12-15-71	Walker	15 00	15 00
J.S. 6 mailed 9-1-72	Marshal	12-16-71	C.D.No. 27		
Basis of Action: Violation of Antitrust Laws.	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-14-71	Complaint filed and Summons issued. v of Mapco, Inc.	
1-6-72	Application for extension of time to answer/ With Approval of extension of time which was granted until January 24, 1972, filed. (JHP-Clerk) r	
1-7-72	Return of U.S. Marshals Return. Served Waste-Treat, Inc. c/o David S. Eldridge at Oklahoma City on 12-30-71 at 9:50 A.M. (Fee \$6.40) Served Mapco Inc. by serving the Corporation Co., at Oklahoma City on 12-20-71 at 8:45 A.M. (Fee \$4.00) Filed. r	
1-10-72	Defendant's, Waste-Treat, Inc., request for extension of 15 days to answer, filed. ds	
1-10-72	Order extending time for defendant, Waste-Treat, Inc. to 1-24-72, filed. ds <i>Cop. mailed</i>	
1-25-72	Motion of the Deft., Mapco, Inc., to Stay Proceedings, filed. v	
1-25-72	Exhibits to Motion to Stay Proceedings, Part I, filed. v	
1-25-72	Exhibits to Motion to Stay Proceedings, Part II, filed. v	
1-25-72	Brief in Support of Motion of Deft., MAPCO, Inc., to Stay Proceedings, filed. v	
1-25-72	Motion of the Deft., Mapco, Inc., to Strike and Motion for More Definite Statement, filed. v	
1-25-72	Brief in Support of Motion to Strike and Motion for More Definite Statement, filed. v	
1-25-72	Motion of the Deft., Mapco, Inc., to Dismiss, filed. v	
1-25-72	Brief of Deft., Mapco, Inc. in support of Motion to dismiss for Failure to State a Claim upon which relief can be granted, filed. v	
1-25-72	Ordered by the Court that the Plaintiff is granted 10 days from this date to respond to Deft., Mapco, Inc.'s Motions which are listed below: 1. Motion of the Deft., Mapco to Stay Proceedings. 2. Motion to strike and motion for more definite statement. 3. Motion to Dismiss. -----(AEB-J)v	
1-26-72	Motion of def. Waste-Treat to stay proceedings, filed. rm	
1-26-72	Brief in support of motion to stay proceedings, filed. rm	
1-26-72	Motion of def. Waste-Treat to dismiss, filed. rm	
1-26-72	Brief in support of motion to dismiss, filed. rm	
1-26-72	Ordered by the Court that the plaintiff is granted 10 days from this date to respond to def. Waste-Treat's motion to stay proceeding and motion to dismiss. (AEB-J) rm <i>Letter written</i>	
1-28-72	First Request for admissions under Rule No. 36 by defendant, filed. ds	
2-2-72	Pltf's application to extend time to file responses to defts' motions, filed. hm	
2-7-72	Order extending time for pltf to file responses to defts' Motions - granted 10 days from 2-4-72, filed. (AEB-J)r (Copies mailed to attys)	
2-14-72	Answer of plaintiff to defendants' first request for admissions under R. 36, filed. g	
2-14-72	Answer brief of pltf. in opposition to motion to dismiss, filed. g	
2-14-72	Answer brief of pltf. in opposition to motion to strike and motion for more definite statement, filed. g	
2-14-72	Brief of plaintiff in opposition of deft. Mapco, Inc. to stay proceedings, filed. g	
2-25-72	Defts' First Written Interrogatorie, filed. r	
3-23-72	Plaintiff's Answers to First Written Interrogatories, filed. v	
4-19-72	Ordered that Magistrate conduct hearing on mot. of deft. Mapco to strike and mot. for more definite statement; Mapco's motion to dismiss, mot. of deft. Waste-Treat to stay proceedings & motion to dismiss.(AEB-J)hm	
4-19-72	Hearing held on above motions. All motions taken under advisement and (cont)	

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-9-72	Magistrate will rule by 4-21-72. (MLB-Mag)hm It is recommended by the Magistrate that the motion to dismiss complaint of defts. Mapco & Waste-treat is sustained; motion of Mapco to strike & make more definite & certain & motion to stay & Waste-Treat's motion to stay are moot. Deft. counsel for Mapco to prepare proper findings & recommendations. (MLB-Mag)hm	
5-12-72	Findings and recommendations of magistrate, filed. (MLB-Mag)hm (copies mailed)	
5-22-72	Objs. of pltf. to F&R of Magistrate, Request for Oral Arguments, and brief in support thereof, filed. rm	
5-22-72	Ordered that defts. are granted 10 days in which to respond to pltf.'s obj. to F&R of Magistrate. (AEB-J)rm - ltr. mailed	
6-1-72	Reply and brief of def. Mapco in opposition to pltf.'s obj. to F&R, filed.rm	
8-21-72	Order overruling objs. of pltf. to F&R of Mag. and sustaining def.'s Motion to Dismiss, filed and entered. (AEB-J) rm - copies mailed	

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